

Docket No.: M4065.0489/P489-A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Donald L. Yates et al.

Allowed: January 18, 2008

Application No.: 10/734,201

Confirmation No.: 4789

Filed: December 15, 2003

Art Unit: 2812

For: METHOD OF IMPROVING SURFACE  
PLANARITY PRIOR TO MRAM BIT  
MATERIAL DEPOSITION

Examiner: H. J. Tsai

**REQUEST FOR ACKNOWLEDGEMENT OF REFERENCES CITED**

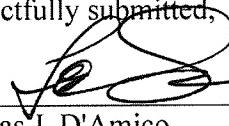
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant's undersigned representatives respectfully request that the Examiner acknowledge the references cited on Form PTO-892 originally filed on December 15, 2003. Furthermore, we respectfully request that the last reference cited on Form PTO-892, originally filed on January 22, 2002, also be acknowledged. A copy of the original submissions along with a copies of the PTO stamped postcard receipts and an IDS acknowledged by the Examiner are being filed herewith for your convenience.

Dated: February 20 2008

Respectfully submitted,

By   
Thomas J. D'Amico

Registration No.: 28,371

Peter A. Veytsman

Registration No.: 45,920

DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW

Washington, DC 20006-5403

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Attorneys for Applicants

**Atty Docket No.:** M4065.0489/P489-A

**Inventor:** Donald L. Yates, et al.

**Application No.:** NOT YET ASSIGNED      **Filing Date:** Concurrently Herewith  
**Title:** METHOD OF IMPROVING SURFACE PLANARITY PRIOR TO MRAM BIT  
MATERIAL DEPOSITION

**Documents Filed:**

Fee Transmittal (1 page)

Declaration (3 pages)

Payment by credit card. Form PTO-2038 is  
attached (1 page)  
Charge \$770.00 to credit card

Power of Attorney (2 pages)

*Megan Burkhal*

**Atty Docket No.:** M4065.0489/P489-A

**Inventor:** Donald L. Yates, et al.

**Application No.:** NOT YET ASSIGNED      **Filing Date:** Concurrently Herewith  
**Title:** METHOD OF IMPROVING SURFACE PLANARITY PRIOR TO MRAM BIT  
MATERIAL DEPOSITION

**Documents Filed:**

Fee Transmittal (1 page)

Declaration (3 pages)

22264 U.S. PTO

10/734201

Payment by credit card. Form PTO-2038 is  
attached (1 page)  
Charge \$770.00 to credit card

Power of Attorney (2 pages)

121503

Utility Patent Application Transmittal (1 page)

Drawings (13 sheets)

First Preliminary Amendment (3 pages)

Information Disclosure Statement (2 pages)

Specification (29 pages)

IDS Citation (1 page)

**Via:**  
**Sender's Initials:** TJD/JKW/pjd

**Date:** December 15, 2003

Docket No.:M4065.0489/P489-A  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Donald L. Yates, et al.

Application No.: NOT YET ASSIGNED

Confirmation No.:

Filed: Concurrently Herewith

Art Unit: 2836

For: METHOD OF IMPROVING SURFACE  
PLANARITY PRIOR TO MRAM BIT  
MATERIAL DEPOSITION

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Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

A copy of each reference on PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0489/P489-A. A duplicate copy of this paper is enclosed.

Dated: December 15, 2003

Respectfully submitted,

By   
Thomas J. D'Amico  
Registration No.: 28,371  
DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP  
2101 L Street NW  
Washington, DC 20037-1526  
(202) 785-9700  
Attorney for Applicant

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Substitute for form 1449A/PTO				<i>Complete if Known</i>	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Donald L. Yates
				Art Unit	2812
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	M4065.0489/P489-A

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
A		6,174,737	01/16/2001	Durlam et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
					T <sup>6</sup>

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.			

Examiner Signature		Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Atty Docket No.: M4065.0489/P489-A ✓

Inventor: Donald L. Yates et al.

Application No.: 10/734,201

Filing Date: December 15, 2003

Title: METHOD OF IMPROVING SURFACE PLANARITY PRIOR TO MRAM BIT  
MATERIAL DEPOSITION

**Documents Filed:**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT; IDS CITATION; 6 REFERENCES.

Via:

Sender's Initials: TJD/MMS/dgw

Date: January 22, 2004



m.b.

Docket No.:M4065.0489/P489-A  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Donald L. Yates, et al.

Application No.: 10/734,201

Confirmation No.: Not Yet Assigned

Filed: December 15, 2004

Art Unit: Not Yet Assigned

For: METHOD OF IMPROVING SURFACE  
PLANARITY PRIOR TO MRAM BIT  
MATERIAL DEPOSITION

Examiner: Not Yet Assigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

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P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

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A copy of each reference on PTO/SB/08 is attached.

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Application No.: 10/

Docket No.: M4065.0489/P489-A

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0489/P489-A. A duplicate copy of this paper is enclosed.

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By   
Thomas J. D'Amico

Registration No.: 28,371  
DICKSTEIN SHAPIRO MORIN &  
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2101 L Street NW  
Washington, DC 20037-1526  
(202) 785-9700  
Attorney for Applicant

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
Sheet	1	of	1	Application Number	10/734,201
				Filing Date	December 15, 2003
				First Named Inventor	Donald L. Yates
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	M4065.0489/P489-A

<b>U. S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,181,013-B1	01/30/2001	Liu et al.	
		US-6,110,648	08/29/2000	Jang	
		US-5,354,712	10/11/1994	Ho et al.	
		US-2002/0098705-A1	07/25/2002	Low	
		US-6,326,218	12/04/2001	Yunogami et al.	

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		PCT Search Report			T <sup>6</sup>

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet <b>1</b> of <b>1</b>				<b>Complete if Known</b>
				Application Number <b>10/734,201</b>
				Filing Date <b>December 15, 2003</b>
				First Named Inventor <b>Donald L. Yates</b>
				Art Unit <b>Not Yet Assigned</b> <i>2872</i>
				Examiner Name <b>Not Yet Assigned</b>
				Attorney Docket Number <b>M4065.0489/P489-A</b>

### U. S. PATENT DOCUMENTS

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~W		US-6,181,013-B1	01/30/2001	Liu et al.	
~W		US-6,110,648	08/29/2000	Jang	
~W		US-5,354,712	10/11/1994	Ho et al.	
~W		US-2002/0098705-A1	07/25/2002	Low	
		US-6,326,218	12/04/2001	Yunogami et al.	

### FOREIGN PATENT DOCUMENTS

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		-Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		PCT Search Report				

### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

Examiner Signature *H-Jay Tsai* ✓ Date Considered *6/9/03*

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